

00- R-1732

Entered - 06/12/00 - sb
CL00L0353 - GWENDOLYN BURNS

CLAIM OF: **MARGIE K. CLARK**
4949 Peachtree Dunwoody Road
Atlanta, Georgia 30342

For vehicular damages alleged to have been sustained from a construction cut that was left open and in an unsafe condition on May 19, 2000 at 4040 Peachtree Dunwoody Road.

THIS ADVERSED REPORT IS APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0354

Date: October 18, 2000

Claimant /Victim MARGIE K. CLARK
BY: (Atty) (Ins. Co.)
Address: 4949 Peachtree Dunwoody Road, Atlanta, Georgia 30342
Subrogation: Claim for Property damage \$ 422.65 Bodily Injury \$
Date of Notice: 6/1/00 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 5/19/00 Place: 4040 Peachtree Dunwoody Road, NE
Department Division
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that her vehicle sustained damage when she drove over a construction cut in the roadway that was not properly covered and left in an unsafe condition. An investigation determined that United Water Services Atlanta performed work at the incident location. The claimant's claim has been forwarded and resolved by United Water Services Atlanta.

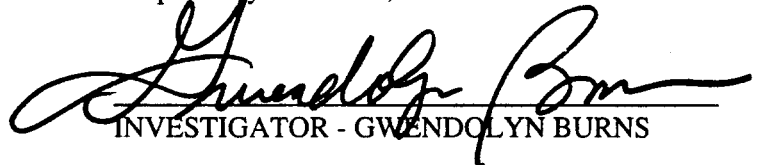
INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other X
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

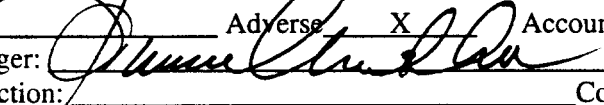
BASIS OF RECOMMENDATION:

Function: Governmental Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved X Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager:  Concur/date 10-20-00
Committee Action: Council Action